

BEFORE
THE PUBLIC SERVICE COMMISSION OF
SOUTH CAROLINA
DOCKET NO. 91-336-T - ORDER NO. 91-920
OCTOBER 22, 1991

IN RE:	Application of H & S Transfer Company,)	ORDER
	1238-40 Gordon Park Road, P.O. Box 446,)	GRANTING
	Augusta, GA 30903, for a Class E)	MOTION TO
	Certificate of Public Convenience and)	COMPEL
	Necessity.)	

This matter comes before the Public Service Commission of South Carolina (the Commission) on the Motion to Compel Responses to Interrogatories and Request for Production of Documents filed by the Applicant, H & S Transfer Company. The Applicant moves this Commission for an Order directing the Intervenor, Smith Dray Line & Storage, Inc. to fully respond to Applicant's Interrogatories Nos. 8 and 16. The Motion states that the Intervenor has only partially responded to said interrogatories in that it has filed four years' worth of data instead of the ten calendar years' worth of data requested by the Applicant. The Applicant states that the requested information is relevant and is needed to explore the Intervenor's claim that public convenience and necessity is already

being served pursuant to §58-23-330 of the Code of Laws of South Carolina without H & S Transfer Company's services.

In response to this Motion, Smith Dray Line & Storage states that any information before four years ago is outdated, irrelevant and immaterial and is also burdensome. By way of reply, H & S Transfer Company reiterates its position that ten years' worth of data is reasonable to request in order to explore the Intervenor's claim that public convenience and necessity is being served.

After due consideration of the matter, it is the opinion of this Commission that the Applicant makes a reasonable request. The Applicant is fully entitled to explore the Intervenor's claim that public convenience and necessity is already being served and the ten years' worth of data as requested in Interrogatories Nos. 8 and 16 is reasonable to accomplish that end. It is therefore, the opinion of this Commission that the Motion to Compel should be granted.


IT IS THEREFORE ORDERED:

1. That the Motion to Compel responses to Interrogatories and Request for Production of Documents of H & S Transfer Company of September 26, 1991, is hereby granted.

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2. That this Order shall remain in full force and effect until further Order of the Commission.

BY ORDER OF THE COMMISSION:


Chairman

ATTEST:


Executive Director

(SEAL)